

11-01-00

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.



10/31/00

**UTILITY
PATENT APPLICATION
TRANSMITTAL**
*(Only for new nonprovisional applications under
37 C.F.R. 1.53(b))*

Attorney Docket No. 1159.1004-

First Named Inventor or Application Identifier

Steven A. Bogen

PTO

Express Mail Label No. EL552573405US

S

Title of Invention

SLIDE STAINER WITH REMOVABLE REAGENT CARTRIDGE FRAME

U.S.

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

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10/31/00

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, D.C. 20231

2298

JC

09/70

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1. [X] Fee Transmittal Form
(Submit an original, and a duplicate for fee processing)
2. [X] Specification [Total Pages | 20 |]
(preferred arrangement set forth below)
- Descriptive title of the invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to microfiche Appendix
 - Background of the Invention
 - Summary of the Invention
 - Brief Description of the Drawings
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
3. [X] Drawing(s) (35 U.S.C. 113) [Total Sheets | 12 |]
[X] Formal [] Informal
4. [X] Oath or Declaration/POA [Total Pages | 3 |]
- a. [] Newly executed (original or copy)
 - b. [X] Copy from a prior application (37 C.F.R. 1.63(d))
(for continuation/divisional with Box 17 completed)
[NOTE Box 5 below]
 - i. [] DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. [X] Incorporation By Reference *(useable if Box 4b is checked)*
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. [] Microfiche Computer Program (*Appendix*)
7. [] Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
- a. [] Computer Readable Copy
 - b. [] Paper Copy (identical to computer copy)
[] Pages
 - c. [] Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

8. [] Assignment Papers (cover sheet & documents)
9. [] 37 C.F.R. 3.73(b) Statement [] Power of Attorney
(when there is an assignee)
10. [] English Translation Document *(if applicable)*
11. [X] Information Disclosure Statement (IDS)/PTO-1449 [] Copies of IDS Citations
12. [] Preliminary Amendment
13. [X] Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
14. [] Small Entity [] Statement filed in prior application, status still proper and desired
15. [] Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. [X] Other: Remarks; Declaration under Rule 1.131;
copy of Grant Application

17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:

[X] Continuation [] Divisional [] Continuation-in-part (CIP) of prior application No.: 09/205,945

Prior application information: Examiner: M. Wallenhorst Group Art Unit: 1743

18. CORRESPONDENCE ADDRESS

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Signature		Date	10/31/00
Submitted by Typed or Printed Name	James M. Smith, Esq.	Reg. Number	28,043

Rev. September 23, 1999

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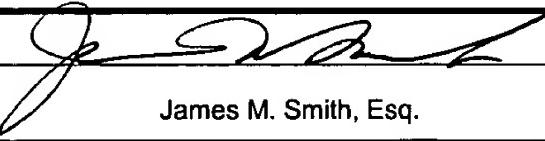
HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

FEE TRANSMITTAL FOR PATENT APPLICATIONS	Attorney Docket Number	1159.1004-005
	Application Number	
	First Named Inventor	Steven A. Bogen

CLAIM CALCULATION (includes any preliminary amendment)

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c) or (j))	2 - 20* =	0	x \$ 18 =	\$
	INDEPENDENT CLAIMS (37 CFR 1.16(b) or (i))	2 - 3** =	0	x \$ 80 =	\$
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ \$ 270 =	\$
				BASIC FEE (37 CFR 1.16(a) or (h))	\$ 710
			Total of above Calculations =		\$ 710
			Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27, 1.28) =		\$
			TOTAL =		\$ 710
			Surcharge - Late Filing of Declaration or Filing Fees (37 C.F.R. 1.16(e)) =		\$
			Petition for Extension of Time Fee (37 C.F.R. 1.17) =		\$
			Assignment Recordation Fee = (only when filed with application)		\$
	* Reissue claims in excess of 20 and over original patent ** Reissue independent claims over original patent		TOTAL =		\$ 710

1. Small entity status:
 - a. A small entity statement is enclosed.
 - b. A small entity statement was filed in the prior non-provisional application and such status is still proper and desired.
 - c. Is no longer claimed.
2. A general authorization is hereby granted to charge deposit account number 08-0380 for any fees required under 37 CFR 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.
3. A check is enclosed for \$710. Please charge \$[] to Deposit Account No. 08-0380.
4. Other: _____

Signature		Date	10/30/00
Submitted by Typed or Printed Name	James M. Smith, Esq.	Reg. Number	28,043

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Steven A. Bogen and Herbert H. Loeffler

Continuation Application of

Application No.: 09/205,945

Filed: December 4, 1998

For: Slide Stainer With Removable Reagent Cartridge Frame

jc920 U.S. PRO
09/702298
10/31/00



Date: 10-31-00

EXPRESS MAIL LABEL NO. EL552573405US

REMARKS

Box PATENT APPLICATION

Assistant Commissioner for Patents

Washington, D.C. 20231

Sir:

The above-captioned application is a continuation of Application Number 09/205,945 filed on December 4, 1998 to which priority is claimed under 35 U.S.C. 120.

The specification has been revised to incorporate amendments filed in the parent application. The related applications paragraph has been revised to include the parent application. No new matter has been added.

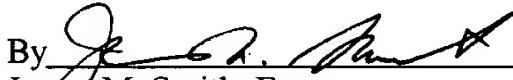
The claims filed in the attached continuation application cover the system disclosed but not claimed in U.S. Patent 5,232,664, filed September 18, 1991. In particular, note in the '664 patent the cartridge frame 20 in Figure 6 and described in column 7, lines 9-24. The subject application claims priority to an application filed May 11, 1992. The attached Declaration states that the invention was completed prior to the September 18, 1991 filing date of the '664 patent. Accordingly, the '664 patent cannot be considered as prior art to the present claims.

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The attached Declaration has been approved by both inventors. Upon receipt of an application number, a copy will be forwarded to the inventors for signature and will be filed in the near future.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

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Dated: 10/31/00